IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

Bail Appl..No. 7385 of 2006()

CRIME NO.435/2006 OF ALATHUR POLICE STATION

: APPLICANT/ACCUSED:

SIVAN, AGED 48 YEARS,
S/O.ARUMUGHAN, CHEENIKKODE HOUSE,
P.O.THENNILAPURAM, ANCHUMOORTHI (VIA),
PALAKKAD.

BY ADV. SRI.P.VIJAYA BHANU
SMT.P.MAYA

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO.7385 of 2006

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DATED: 13-12-2006

O R D E R

Petitioner who is the sole accused in Crime No. 435/2006 of Alathur Police Station for an offence punishable under Sec. 326 I.P.C. seeks anticipatory bail.

2. Petitioner's earlier application for anticipatory bail filed as B.A. 7124/06 was dismissed on 1-12-2006. According to the petitioner, the matter has been squared up by the de facto complainant who has no subsisting grievance and the de facto complainant has filed an affidavit to that effect marked as Annexure A. That is not a circumstance to justify the grant of anticipatory bail. There is no reason why the petitioner should not seek regular bail from the Magistrate concerned. If the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed after considering the petitioner's contention that the matter has been settled between the parties and the de facto complainant has no subsisting grievance in the matter.

With the above observation, This application is, dismissed.

V.RAMKUMAR,

JUDGE.

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